IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS N0.1160 OF 2006

In

SUIT NO.3754 OF 1999

Reliance Capital Limited : Plaintiff

V/s.

Modiluft Limited & Ors. : Defendants

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Mr.J.P.Sen i/b. M/s.Mulla & Mulla & Craigie Blunt & Caroe for the plaintiff.

Ms F. Thakkar i/b. Doijode Associates for defendant no.1.

None present for defendant nos.2 & 3.

Mr.S.E.Nikalje, representative of Court Receiver (present).

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CORAM : A.M. KHANWILKAR, J.

DATE : APRIL 18, 2007.

P.C.

1. As per the office report, the defendants have been duly served. Defendant no.1 appears through counsel. None appears for the defendant nos.2 & 3. No reply has been filed to oppose this Chamber Summons on behalf of any of the defendants. In that sense, the assertions made in the affidavit-in-support of the Chamber Summons have remained uncontroverted. For the case made out in the

affidavit-in-support of the Chamber Summons, the plaintiffs are entitled to reliefs in terms of prayer clause (a).

2. Accordingly, the Chamber Summons is made absolute in terms of prayer clause (a). No order as to costs.

A.M. KHANWILKAR, J.